IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

Tr.P(C).No. 113 of 2007()

OPFC.26/2007 of FAMILY COURT, MALAPPURAM
.....

: PETITIONER

K.JYOTHI, 26 YEARS,
D/O.GOPALAKRISHNAN NAIR, KINATTINKARA HOUSE,
VALLOOR, SANKARAMANGALAM, PATTAMBI.

BY ADV. SRI.E.R.VENKATESWARAN
SRI.R.SREEHARI

RESPONDENT:

ARUNKUMAR, AGED 33 YEARS,
S/O.RAMACHANDRA KURUP, MADAMANGATTIL HOUSE,
PARIYAPURAM POST, MUTHOLA, THANOOR, TIRUR TALUK.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.1180/07

DISMISSED.

14/9/2007 SD/- M.N.KRISHNAN,JUDGE.

M.N.Krishnan, J.

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Tr.P(C).No.113 of 2007

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Dated this the 14th day of September, 2007.

JUDGMENT

This Transfer Petition is filed by the wife in a case for divorce, which is pending before the Family Court, Malappuram as O.P.(FC) No.2007. The wife has filed an application, M.C.No.155 of 2007 and it is pending before the Family Court at Palakkad. It is submitted that the petitioner has to travel about 75 kms. to reach Perinthalmanna and there is considerable difficulty for her for the reason that her father is ailing from heart disease. Therefore, there is nobody to accompany her.

2. Respondent had been served. He remained absent. The averments in the Transfer Petition remain uncontroverted. Further, reasons stated also appear to be genuine. Therefore, taking into consideration the entire circumstances, I direct that O.P.(F.C.)No.26 of 2007 pending before the Family Court, Malappuram be transferred to the Family Court at Palakkad. Whether this matter has to be taken up for trial in a Camp sitting

at Ottapalam is a matter which is within the exclusive parameters of the Family Court at Palakkad. Since the respondent had not appeared before this Court, I direct the Family Court, Malappuram to intimate about the transfer to him before effecting the actual transfer.

Transfer Petition is disposed of as above.

M.N.Krishnan,
Judge.

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